

INDEX


DE GRANDPRÉ CHAIT LLP
LAWYERS

Vol. 3 Issue 1 December/January 2005

www.dgcllex.com

Notes of the month

Intellectual Property

Anton Piller Orders: A Powerful Tool to Protect Your Rights

Most businesses today know that protecting their trademarks, copyrights and patents should be one of their legal priorities. At a time when forgeries of all kinds and the pirating of digital materials (such as CDs, DVDs and software) are an unfortunate part of the daily concerns of a large number of businesses, traditional procedural law has adapted to provide efficient means to combat these threats. The issuance of an Anton Piller order is one of the tools available to you. What is an Anton Piller Order? By [Me Eric Lalanne](#) [Complete Text](#)

Conferences

Corporate Financing

Public Venture Capital for Québec Businesses

On **February 23 and 24, 2005**, [Me Claude Désy](#) will chair the 3rd annual conference on financing presented by the Association de planification fiscale et financière (APFF). As part of the conference, Me Désy will give a speech on the taxation of stock exchange trading by public SMEs. [Me Michel G. Beaudin](#), a member of De Grandpré Chait's Securities Practice Group, will also participate in the conference, with a lecture entitled "The new rules for financing other than by way of prospectus". To register, please contact the APFF at 514-866-2733 or www.apff.org.

Important Judgment

Real Estate

Seizures Before Judgment: A New Interpretation

The **Code of Civil Procedure** (C.C.P.) provides that in the course of legal proceedings, the plaintiff may, with the authorization of a judge, seize before judgment the property of the defendant, when there is reason to fear that without this remedy the recovery of his debt may be put in jeopardy. The law grants the defendant the possibility of providing a guarantee to the seizing creditor *in lieu* of the seized property. Until very recently, the case law and the doctrine both agreed on the fact that a defendant whose **immovable** had been seized before judgment could not avail itself of this possibility. These authorities held that this recourse was available only for seizures before judgment of **movable property**. (The Court of Québec rejected this interpretation on September 17, 2004). By [Me Vincent Piazza](#) [Complete Text](#)

Appointments

Me Jo-Anne Durand has joined our Real Estate Group

[Me Jo-Anne Durand](#) practices mainly in the areas of real estate development and commercial leasing, acting for both developers and retailers. Ms. Durand has a solid background in the drafting and negotiation of commercial leases.



1000 De La Gauchetière Street West, Suite 2900, Montréal (Québec) H3B 4W5 CANADA
Telephone: (514) 878-4311 Fax: (514) 878-4333 www.dgcllex.com

If you have any questions or comments regarding this Bulletin, please contact us by telephone at (514) 878-3223, ext. 3335 or by clicking [Information Request](#) at the bottom of this page.

This Bulletin provides general comments on recent developments in the law. It should not be viewed as legal advice: no legal steps should be taken on the basis of this Bulletin. © DE GRANDPRÉ CHAIT.

[To sign up someone else](#) / [To unsubscribe](#) / [Information Request](#)

[Version Française](#)